

RESOLUTION NO. 2010-15

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING AN AGREEMENT BETWEEN THE VILLAGE AND GALLERIA OF KEY BISCAYNE INC. PERMITTING GOLF CART AND PEDESTRIAN ACCESS AND IMPROVEMENTS FOR A PORTION OF THE PROPERTY LOCATED AT 328 CRANDON BOULEVARD (GALLERIA SHOPPING CENTER); AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village Council adopted Ordinance 2009-4 that created the Golf Cart Safety Board for the purpose of providing recommendations to the Village Council and Village Manager regarding golf cart safety practices; and

WHEREAS, on January 12, 2010, the Village Council adopted Resolution 2010-1, which authorized the Village Manager to take any and all steps necessary to implement the improvements within the Golf Cart/Pedestrian/Bicycle Fernwood Road and Commercial Property Safety and Access Plan, dated August 24, 2009 (the “Plan”); and

WHEREAS, one of the recommended improvements within the Plan was to provide golf cart access from Fernwood Road to the Galleria Shopping Center; and

WHEREAS, as such, the Village Council finds that it is necessary to approve the agreement between the Village and Galleria of Key Biscayne Inc. permitting golf cart and pedestrian access and improvements on a portion of the property located at 328 Crandon Boulevard, in substantially the form attached hereto as Exhibit “A”; and

WHEREAS, the Village Council finds that this Resolution is in the best interest and welfare of the residents of the Village.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. That each of the above-stated recitals is hereby adopted and confirmed.

Section 2. Agreement Approved. That the agreement between the Village and Galleria of Key Biscayne Inc. permitting golf cart and pedestrian access and improvements on a portion of the property located at 328 Crandon Boulevard, in substantially the form attached hereto as Exhibit "A," is hereby approved, and the Village Manager is hereby authorized to execute the Agreement on behalf of the Village, subject to approval of the Village Attorney as to form and legal sufficiency.

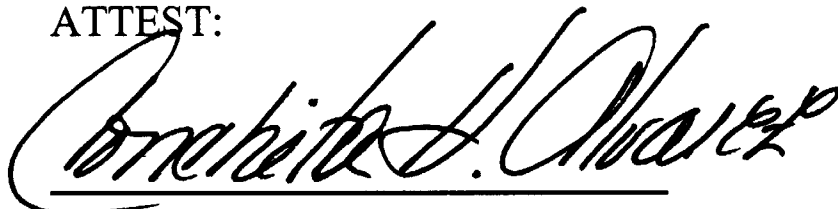
Section 3. Effective Date. That this Resolution shall be effective immediately upon adoption hereof.

PASSED AND ADOPTED this 27th day of April, 2010.



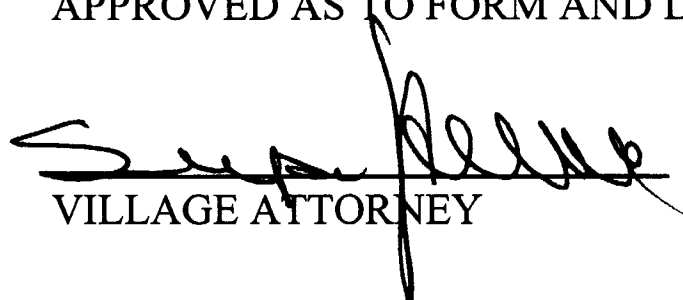
MAYOR ROBERT L. VERNON

ATTEST:



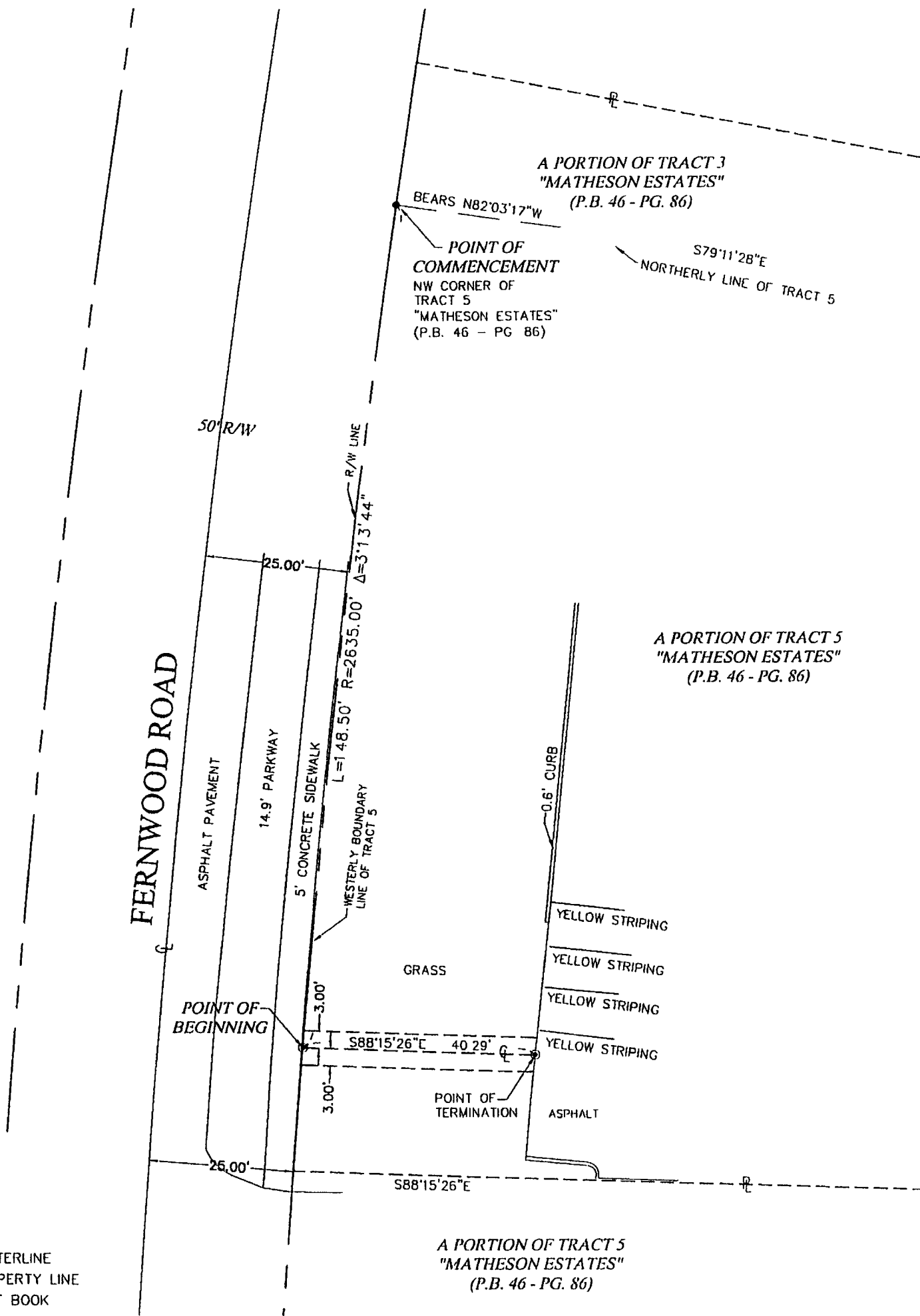
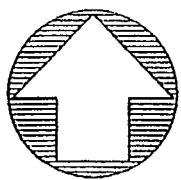
CONCHITA H. ALVAREZ, MMC, VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY


VILLAGE ATTORNEY

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

EXHIBIT "A"



LEGEND:

- ☒ =DENOTES CENTERLINE
- ℙ =DENOTES PROPERTY LINE
- P.B. =DENOTES PLAT BOOK
- PG. =DENOTES PAGE

P(3)SM, L.L.C.

PROFESSIONAL SURVEYORS & MAPPERS

3900 NW 79 AVENUE, SUITE 235 DORAL, FLORIDA 33166 PHONE:(305) 463-0912 FAX:(305) 463-0913

L.B. No. 7335

SKETCH AND LEGAL DESCRIPTION FOR A 6 FOOT WIDE INGRESS- EGRESS EASEMENT

DATE:	DRAWN BY	SCALE:	JOB No.	SHEET:
04-01-10	JP	1" = 30'	1003-00023-002	4 of 4

EASEMENT LEGAL DESCRIPTION

EXHIBIT "A"

A PARCEL OF LAND LYING IN SECTION 32, TOWNSHIP 54 SOUTH, RANGE 42 EAST, ALL LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA, AS IT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHWEST CORNER OF TRACT 5 OF "MATHESON ESTATES" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 46 AT PAGE 86, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; SAID POINT ALSO BEING THE BEGINNING OF A CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 2635.00 FEET; AND TO WHICH POINT A RADIAL LINE BEARS N82°03'17"W; THENCE SOUTHWESTERLY 148.50 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 3°13'44" TO THE POINT OF BEGINNING OF A 6.00 FOOT WIDE INGRESS-EGRESS EASEMENT, LYING 3.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE (SHORTENING OR EXTENDING THE SIDE LINES THEREOF, SO AS TO CREATE A CONTINUOUS STRIP OF LAND); THENCE S88°15'26"E FOR A DISTANCE OF 40.29 FEET TO THE POINT OF TERMINATION.

P(3)SM, L.L.C. PROFESSIONAL SURVEYORS & MAPPERS 3900 NW 79 AVENUE, SUITE 235 DORAL, FLORIDA 33166 PHONE:(305) 463-0912 FAX:(305) 463-0913				L.B. No. 7335
SKETCH AND LEGAL DESCRIPTION FOR A 6 FOOT WIDE INGRESS- EGRESS EASEMENT				
DATE:	DRAWN BY	SCALE:	JOB No.	SHEET:
04-01-10	JP	N/A	1003-00023-002	3 of 4

SURVEYOR'S NOTES AND CERTIFICATE

SURVEYOR'S NOTES:

- 1) This is not a Boundary Survey, but only a GRAPHIC DEPICTION of the description shown hereon.
- 2) North arrow direction and bearing shown hereon are based on an assumed meridian of S79°11'28"E, along the northerly boundary line of Tract 5 of "Matheson Estates", Plat Book 46 at Page 86 of the public records of Miami-Dade County, Florida.
- 3) Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.
- 4) There may be additional restrictions not shown on this Sketch & Legal that may be found in the Public Records of this County. Examination of the ABSTRACT OF TITLE will have to be made to determine recorded instruments, if any affecting this property.
- 5) No title research has been performed to determine if there are any conflict existing or arising out of the creation of the easements, Right-of-Ways, Parcel Descriptions, or any other type of encumbrances that the herein described legal may be utilized for.
- 6) The intent of this description is to encompass a 6 foot wide INGRESS-EGRESS EASEMENT.

SURVEYOR'S CERTIFICATE:

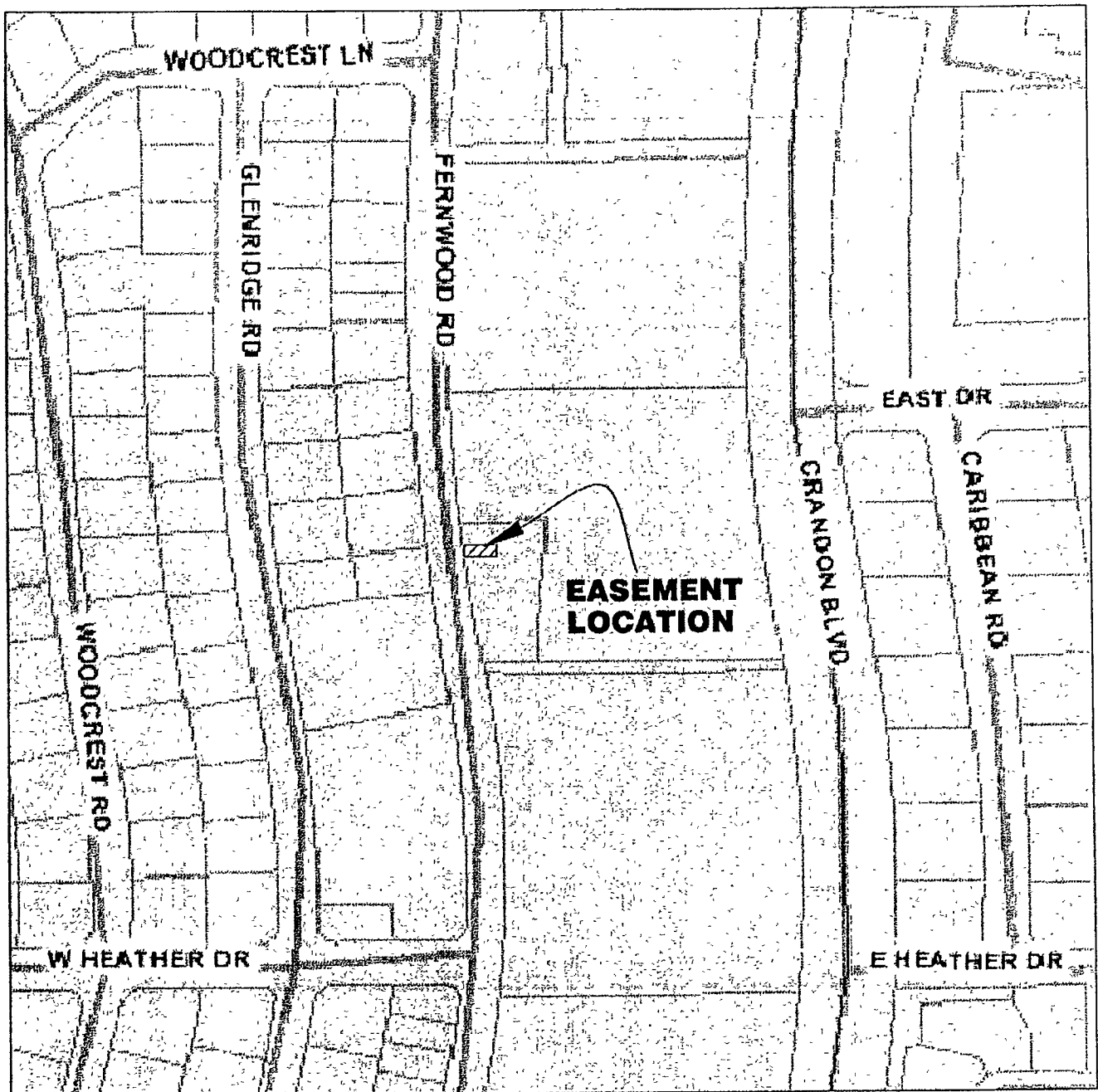
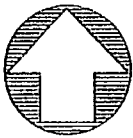
I hereby certify to the best of my knowledge and belief that this drawing is a true and correct representation of the SKETCH AND LEGAL DESCRIPTION, of the real property described hereon.

I further certify that this survey was prepared in accordance with the applicable provisions of Chapter 5J-17.05 Florida Administrative Code.

Date: April 1, 2010

EDUARDO M. SUAREZ, P.S.M.
Professional Surveyor and Mapper
State of Florida, Registration No. 6313

P(3)SM, L.L.C.				L.B. No. 7335
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LOCATION MAP

A PORTION OF
SECTION 32, TOWNSHIP 54 SOUTH, RANGE 42 EAST
VILLAGE OF KEY BISCAIYNE, MIAMI-DADE COUNTY, FLORIDA

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